

REMARKS

A. The Section 112 Rejections

Applicants thank the Examiner for withdrawing these rejections.

B. The Section 103 Rejections

Claims 1, 5-9, 13-18 and 22-25 were rejected under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2005/0169222 to Ayyagari (“Ayyagari”) in view of U.S. Patent Application Publication No. 2006/0039281 to Benveniste (“Benveniste”). Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Of the rejected claims, claims 1, 9 and 18 are independent. It is to these claims that the Applicants now turn their attention, it being understood that the same rationales apply to the remainder of the claims that depend on claims 1, 9 or 18, respectively.

Claims 1, 9 and 18 each include the feature of assigning one or more slots, of a divided CFP, to an identified access point based on the number of users associated with the access point and to maximize a lower bound of a slot-to-user ratio, among other features.

In contrast, Ayyagari does not disclose or suggest assigning slots to a divided CFP. In the Final Office Action the Examiner refers the Applicants to Figures 2 and 4 of Ayyagari as supposedly disclosing this feature. However, no such feature is disclosed therein. Rather, these figures show two well known

CFPs having a 6ms duration. Neither of the CFPs shown in Figures 2 or 4 are divided into slots as in the claims of the present invention.

The Examiner also appears to equate the transmission of a beacon signal, without interference from another beacon signal, with the claimed CFP. However, as the Examiner knows well the two are not the same. For example, during the claimed CFP access points are permitted to transmit data without worrying about interference from other access points (i.e., no collisions). The transmission of data without collisions in the claimed CFP is distinct from the transmission of a beacon signal without collisions in Ayyagari.

Accordingly, because Ayyagari does not disclose or suggest the assignment of one or more slots of a divided CFP to an identified access point, and because Benveniste does not make up for the deficiencies of Ayyagari, the Applicants respectfully submit that the subject matter of claims 1, 5-9, 13-18 and 22-25 would not have been obvious to one skilled in the art at the time the present application was filed upon reading the disclosures of Ayyagari and Benveniste. Accordingly, Applicants respectfully request withdrawal of the rejections and allowance of claims 1, 5-9, 13-18 and 22-25.

C. Entry of Request for Reconsideration

Entry of this Request for Reconsideration (“Request”) is solicited because the Request: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues requiring further

search and/or consideration; (c) does not present any additional claims without canceling the corresponding number of finally rejected claims; and (d) places the application in better form for appeal, if an appeal is necessary.

Should there be any other outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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